

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

AGUSTIN GUTIERREZ VALENCIA et
al.,

Defendants.

CASE NO. 2:22-cr-00151-LK

PROTECTIVE ORDER
RESTRAINING CERTAIN
FORFEITABLE PROPERTY

This matter comes before the Court on the Government's Motion for a Protective Order Restraining Certain Forfeitable Property. Dkt. No. 110. Defendants have not responded to or opposed the motion. This case is currently scheduled for trial on June 5, 2023, Dkt. No. 97, though the parties have filed a stipulated motion to continue the trial date to April 1, 2024, Dkt. No. 117 at 1.

The Government seeks a protective order to maintain custody, pursuant to 21 U.S.C. § 853(e)(1)(A) and 18 U.S.C. § 982(a)(1), of the following property (the "Subject Property"):

1 a. Property seized on or about September 9, 2022, from a residence located at 1215 West
2 22nd Street, Los Angeles, California:

- 3 1. Approximately \$675,179 in U.S. currency;
- 4 2. Sixteen firearms and any associated magazines, accessories, and ammunition:
 - 5 i. One Tavor X95 rifle, bearing serial number T1002558;
 - 6 ii. One Inland Div General Motors US Carbine rifle, bearing serial number
7 510080;
 - 8 iii. One American Tactical Omni Hybrid Muti-Cal rifle, bearing serial number
9 NS253683;
 - 10 iv. One Colt AR-15 SPR1 rifle, bearing serial number SP71077;
 - 11 v. One EDC Tactical LLC EDC-15 rifle, bearing serial number SAIL0046;
 - 12 vi. One Caist 74 pistol, bearing serial number AM25551980;
 - 13 vii. One Ruger EC95 pistol, bearing serial number 45789060;
 - 14 viii. One Springfield XDS9 pistol, bearing serial number S3645715;
 - 15 ix. One Ruger pistol, bearing serial number 863160831;
 - 16 x. One Glock 31 Gen 4 pistol, bearing serial number BLYU585;
 - 17 xi. One CZ P-09 pistol, bearing serial number B505763;
 - 18 xii. One Ruger SR9C pistol, bearing serial number 33380813;
 - 19 xiii. One Glock 20 Gen 4 pistol, bearing serial number BLNP708;
 - 20 xiv. One Polymer 80 pistol, bearing no serial number;
 - 21 xv. One Mossberg 500 shotgun, bearing serial number U829377; and
 - 22 xvi. One Forjas Taurus S.A. PT 1911 pistol, bearing serial number NGM9b722;

23 b. Property seized on or about September 9, 2022, from Room #15, at a hotel located at
24 743 Central Ave N., Kent, Washington:

1. Approximately \$147,300 in U.S. Currency; and
2. Two firearms and any associated magazines, accessories, and ammunition:
 - i. One Colt DA .38 Revolver, bearing serial number U895; and
 - ii. One Smith & Wesson .38 SPL +P Revolver, bearing serial number CYS3434;
- c. Property seized on or about September 9, 2022, from Totem Self Storage, 8838 S 228th Street, Kent, Washington, Storage Unit 270, specifically, one Pietro Beretta 9mm pistol, bearing serial number D77240Z, and any associated magazines and ammunition; and
- d. Property seized on or about September 9, 2022, from a white Jamboree RV, bearing California license plate 7LOC131, specifically, one Glock 43 handgun, bearing serial number 10386LAV, and any associated magazines and ammunition.

The Court, having reviewed the filings in this matter, including the Government's Motion and the supporting Declaration of Federal Bureau of Investigation Special Agent Allana Kleinosky, Dkt. No. 111, hereby FINDS entry of a protective order restraining the Subject Property is appropriate because:

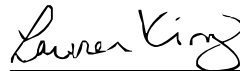
- The United States gave notice of its intent to pursue forfeiture in the Indictment returned on September 21, 2022, Dkt. No. 38 at 6–7, and in the Forfeiture Bill of Particulars, Dkt. No. 96 at 1–3;
- Based on the facts set forth in the Declaration of Special Agent Allana Kleinosky, Dkt. No. 111, there is probable cause to believe the Subject Property may, upon the Defendants' conviction, be forfeited in this case; and,
- To ensure the Subject Property remains available for forfeiture, its continued restraint pursuant to 21 U.S.C. § 853(e)(1) is appropriate.

1 NOW, THEREFORE, THE COURT ORDERS THAT:

2 The Government's motion for a protective order restraining the Subject Property pending
3 the conclusion of this case, Dkt. No. 110, is GRANTED; and,

4 The Property shall remain in the custody of the United States, and/or its authorized agents
5 or representatives, pending the conclusion of this criminal case, to include any ancillary forfeiture
6 proceedings, and/or further order of the Court.

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8 Dated this 4th day of May, 2023.

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Lauren King
11 United States District Judge
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